

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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| Applicant: | Jawahar M. Desai | | |
| Title: | Catheter For Media Injection | | |
| Application No.: | 10/764,189 | Filing Date: | January 23, 2004 |
| Examiner: | Hall, Deanna K. | Group Art Unit: | 3767 |
| Docket No.: | DES1.002US3 | Conf. No.: | 7841 |

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**TERMINAL DISCLAIMER TO OBVIATE A
DOUBLE PATENTING REJECTION OVER A PATENT**

Sir:

Petitioner, Jawahar M. Desai, is the owner of the entire interest in the instant application. Petitioner hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §§ 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior Patent No. 6,052,612, Patent No. 5,857,464, and Patent No. 6,701,180. Petitioner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patents are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, Petitioner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §§ 154 to 156 and 173 of the prior patents, as presently

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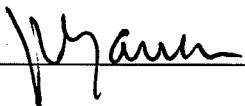
shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

In compliance with 37 C.F.R. §1.20(d), the fee of 130.00 has been authorized via EFS to Deposit Account No. 040258 for this Terminal Disclaimer.

The undersigned represents that he/she is authorized to sign on behalf of Petitioner.

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Respectfully submitted,


Philip Yau
Reg. No. 32,892

February 4, 2008
Date

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